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UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK  
Case No. 16-22321-rdd

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In the Matter of:  
KIRWAN OFFICES S.A.R.L.,  
Debtor.

- - - - -x

United States Bankruptcy Court  
300 Quarropas Street  
White Plains, NY  
July 19, 2017  
10:37 AM

B E F O R E:  
HON. ROBERT D. DRAIN  
U.S. BANKRUPTCY JUDGE

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Motion to Approve/Motion of Stephen P. Lynch for Correction of  
the Record

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A P P E A R A N C E S:

SKADDEN, ARPS, SLATE, MEAGHER & FLOM LLP

Attorneys for Lapidem Ltd. and Mascini Holdings Ltd.

4 Times Square

New York, NY 10036

BY: MARK A. MCDERMOTT, ESQ.

ALSO PRESENT:

STEPHEN P. LYNCH, Pro se (TELEPHONICALLY)

KIRWAN OFFICES S.A.R.L.

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1 P R O C E E D I N G S

2 THE COURT: In Re: Kirwan Offices S.A.R.L.

3 MR. LYNCH: Good morning, Your Honor. This is Stephen  
4 Lynch. I'm on CourtCall and I am representing myself pro se in  
5 this motion for correction of record.

6 THE COURT: Okay, good morning.

7 MR. MCDERMOTT: Good morning, Your Honor. Mark  
8 McDermott on behalf of Lapidem and Mascini, the owners of the  
9 reorganized company.

10 THE COURT: Okay, good morning.

11 All right, this is Mr. Lynch's motion on his own  
12 behalf for a correction of the record on his appeal of the  
13 confirmation order in this case, which he seeks to do pursuant  
14 to Bankruptcy Rule 8009(e)(2)(B). I've read the motion and the  
15 exhibits as well as the response by Lapidem and Mascini and the  
16 two McDermott declarations in support of that response as well  
17 as the exhibits to them.

18 So you all should assume that I have the benefit of  
19 all of that, but I'm happy to hear anything that you have to  
20 say as well.

21 MR. LYNCH: Thank you, Your Honor. Stephen Lynch  
22 speaking again. I have a short statement. I think it's less  
23 than five minutes. It might even be three (indiscernible).

24 THE COURT: Okay, but you're going to have speak up a  
25 little bit because you're fading in and out.

1 MR. LYNCH: I'll try that. Please let me know if you  
2 can't hear me.

3 THE COURT: Okay.

4 MR. LYNCH: Your Honor, my request is a narrow one and  
5 it seeks only to correct the record on appeal, namely to  
6 correct the telephonic hearing transcript to show that neither  
7 myself nor Mr. Sandakov of FD Advisory as attorney for me,  
8 participated in the February 27, 2017, telephonic hearing. In  
9 support of this, I have submitted evidence to that effect,  
10 including a May 2, 2017, from CourtCall to Your Honor and the  
11 official dial-in as provided by CourtCall.

12 In their reply to my motion to correct the record,  
13 petitioning creditors, who are now appellees, have introduced  
14 the issue of whether or not I was properly notified of the  
15 hearing, and indeed other issues of service and notification.  
16 These issues are ones that I have timely and already appealed.  
17 And just last week, I filed my brief on appeal with this issue  
18 extensively addressed in that brief.

19 The filing of a notice of appeal is a matter of  
20 jurisdictional significance, conferring on the higher court  
21 control of those aspects of the case involved in the appeal  
22 while divesting the lower court the same. Although the --

23 THE COURT: I'm sorry, Mr. Lynch, can you speak a  
24 little slower? I think it's going to be very hard for the  
25 court reporter to get through what you're saying.

1 MR. LYNCH: Oh, okay, then. I certainly will.

2 THE COURT: Okay.

3 MR. LYNCH: In their reply to my motion to correct the  
4 record, petitioning creditors, who are now appellees, have  
5 introduced the issue of whether or not I was properly notified  
6 of the hearing, and indeed other issues of service and  
7 notification. These issues are ones that I have timely and  
8 already appealed. And just last week, I filed my brief on  
9 appeal with this issue extensively addressed in that brief.

10 The filing of a notice of appeal is a matter of  
11 jurisdictional significance, conferring on the higher court  
12 control of those aspects of the case involved in the appeal  
13 while divesting the lower court of the same. Although the  
14 bankruptcy court has retained jurisdiction to interpret and  
15 enforce its orders, the bankruptcy court, respectfully, does  
16 not have, absent a timely a motion, modification under Rule  
17 9023, jurisdiction to modify orders.

18 The bankruptcy court does have jurisdiction under Rule  
19 8009, under which I have moved, to correct errors in the  
20 record. But otherwise, the appeal divested the bankruptcy  
21 court of jurisdiction to make any further factual findings or a  
22 legal conclusion of the nature sought by Mascini and Lapidem.  
23 Accordingly, Mascini and Lapidem's request for additional  
24 factual findings, or findings, should be denied.

25 The bankruptcy court has already made its finding that

1 I was properly served. I respectfully dispute this finding as  
2 legally and factually wrong. I timely appealed that finding,  
3 and I have submitted my brief in support of my appeal. It is  
4 now for the district court to decide on the correctness of the  
5 bankruptcy court's legal and factual finding.

6 In this -- and I've educated myself a bit over the  
7 last few days, I refer to Winimo Realty Corp., Southern  
8 District of New York 2001: "The filing of a notice of appeal  
9 confers jurisdiction on the appellate court" -- in this case  
10 the district court -- "and divests trial court of control over  
11 those aspects of case involved in the appeal. This applies to  
12 appeals of bankruptcy proceedings as well. Following the  
13 appeal of a bankruptcy court order, any actions that interfere  
14 with the appeal process or decide an issue identical to the one  
15 appealed are beyond mere enforcement and are therefore  
16 impermissible."

17 Further, in Prudential Line 1994, Southern District of  
18 New York as well: "the filing of a notice of appeal divests the  
19 bankruptcy court of any further jurisdiction over the issues  
20 appealed."

21 And then further in PBS Foods, Bankruptcy Southern  
22 District of New York 2016: "this rule, which applies to appeals  
23 filed in bankruptcy cases is founded on concerns for efficiency  
24 and the desire to protect the integrity of the appellate  
25 process. Accordingly, the bankruptcy court is prohibited with

1 taking any action which interferes with the appeal process or  
2 with the jurisdiction of the appellate court."

3 And then finally, in CPJFK, LLC, Bankruptcy Eastern  
4 District of New York 2011: "a bankruptcy court is without  
5 jurisdiction to modify any orders that are under appeal."

6 For this reason, Your Honor, in the appellees'  
7 response to motion of Stephen Lynch for correction of the  
8 record, their numbered paragraphs 2 through 17, should be fully  
9 disregarded as they address the issue of whether or not I  
10 received proper notice and was served, an issue I have appealed  
11 and which is now in the jurisdiction of the district court.

12 Indeed, this court today need only consider paragraph  
13 number 1 -- need only consider in addition to my motion and the  
14 evidence I have submitted, paragraph number 1 and paragraph  
15 number 2 of their response and the first sentence of paragraph  
16 18, which reads, "Lapidem and Mascini defer to the court with  
17 respect to any determination of whether Mr. Lynch and/or Mr.  
18 Sandakov dialed in to CourtCall on February 27, 2017."

19 This, Your Honor, is the narrow and rather simple  
20 matter before the Court today. Accordingly, based on the  
21 foregoing, my motion to correct the record on appeal should be  
22 granted and petitioning creditors' motion to make additional  
23 factual finding in relations to issues on appeal and/or to  
24 amend the confirmation order now on appeal, should be denied.

25 Thank you, Your Honor.



1 THE COURT: Okay. Mr. McDermott, I didn't actually  
2 get the sense that you were looking for me to make any  
3 additional findings as to service or the like.

4 MR. MCDERMOTT: I had a request at the very end to  
5 confirm what you had already found.

6 THE COURT: But that's the same thing as --

7 MR. MCDERMOTT: That service was proper and --

8 THE COURT: And I already found that.

9 MR. MCDERMOTT: Yes, I get that. It's nothing new.

10 THE COURT: Okay.

11 MR. MCDERMOTT: In terms of the request, I don't know  
12 whether he was on the phone or not. I'm skeptical about this  
13 whole line, to be very honest, because from my perspective,  
14 it's been one game after another in this case with service of  
15 process. And he can say he's pro se; he isn't. He's being  
16 assisted by an attorney. On the first page of his appellate  
17 brief, it says it right there: "I am being assisted by Mr.  
18 Andrei Sandakov." A man who appeared in this court twice and  
19 sat at counsel's table. And Judge Lane called him out on it.

20 Here is something I am going to ask for today. And I  
21 wasn't going to do this because I didn't think I had any reason  
22 to, but we got yet another email that I filed last Friday,  
23 saying, "I'm shutting down this email now, and you can't serve  
24 me this way. I haven't gotten anything you've sent to me by  
25 courier."

1 He previously told us to serve it at the headquarters  
2 of the Hague Convention. Well the Hague Convention, according  
3 to him, doesn't allow service by mail. I don't know what he  
4 wants. I don't know what game he's playing, other than trying  
5 to set things up to later on say, like he has all along, oh  
6 well, I can participate but not really be bound.

7 So I'm requesting the Court's guidance. And I can  
8 send -- file this in a motion if you'd like to. I want to know  
9 now, and I think it needs to be followed by an email, what  
10 would be the form of service that he will accept and not  
11 contest. And I think at a minimum, we need to be able to serve  
12 Andrei Sandakov and not be told time and time again, stop  
13 serving him. The man is helping Mr. Lynch. He can't do that  
14 and then duck service.

15 THE COURT: Okay, well, I'm hopeful that no one will  
16 need to have any further relief in this Court beyond the motion  
17 in front of me.

18 But, Mr. Lynch, you have appeared in the Court  
19 repeatedly. You've filed motions in the Court, you have a  
20 matter on appeal now in the district court from a decision in  
21 this case. It's incumbent upon you and anyone representing you  
22 to update any notice of appearance so that you can in fact be  
23 served going forward. Now you can't dart in and dart out again  
24 and expect to be treated as a party in interest. So you have  
25 to give people your new address, your new email address, or how

1 you will accept service if the old one doesn't work anymore.

2 MR. LYNCH: May I reply to the -- Mr. McDermott, Your  
3 Honor?

4 THE COURT: Well, I'm just saying, are you in  
5 agreement with what I've just said?

6 MR. LYNCH: I am in agreement that I should keep the  
7 Mascini and Lapidem advised of the address at which they can  
8 serve me.

9 THE COURT: Right.

10 MR. LYNCH: And I have repeatedly and transparently  
11 told them so. I am not under an obligation to provide them  
12 with an email address. I was very direct with them in the  
13 beginning of this case that there are serious difficulties to  
14 this cross-border Russia/U.S. case. And there are great  
15 burdens that I must bear because of this. Indeed, it's been a  
16 terrible strain on my finances. And there are burdens that  
17 they must bear, including that is -- it's cumbersome to serve  
18 me in Russia. They need --

19 THE COURT: Mr. Lynch, it's one thing if they are  
20 initiating actions against you where you haven't appeared in  
21 the case already in seeking relief in this case, but since you  
22 have appeared and sought relief, you need to provide a means  
23 for service that actually works.

24 MR. LYNCH: Your Honor, I have been often served in  
25 Russia on matters related to large (indiscernible) through the

1 Hague Convention. Is it easy, in a sense of, as hitting send  
2 on your keyboard? No, it's not. Nor is it easy for me to  
3 mount the defense of my property against this well-funded party  
4 --

5 THE COURT: All I'll say then is this, which is that  
6 if you don't lay out a means that will actually work to receive  
7 service of process here that's not legally precluded, then  
8 you'll bear the consequences, whatever they are.

9 MR. LYNCH: I have a registered address in Russia,  
10 where I have been a longtime resident. At that registered  
11 address, when service has been properly effectuated, I have  
12 been served at that address and I have answered service on  
13 those occasions.

14 THE COURT: Okay, so you accept service at that  
15 address then?

16 MR. LYNCH: Absolutely.

17 THE COURT: Okay, all right. All right, very well.

18 So, Mr. McDermott, do you have anything to say on the  
19 motion beyond what's in the papers?

20 MR. MCDERMOTT: No.

21 THE COURT: Okay.

22 MR. LYNCH: Your Honor, may I --

23 THE COURT: And then just -- it's really more a word  
24 of warning to Mr. Sandakov. There are specific requirements  
25 for practicing law in the Southern District of New York. It

1 does appear to me that he is assisting you in the practice --  
2 by practicing law in the Southern District of New York and he  
3 needs to comply with the requirements to do that. It's not  
4 really so much --

5 MR. LYNCH: Your Honor --

6 THE COURT: -- your problem, as his problem, but it's  
7 an important issue.

8 MR. LYNCH: Your Honor, this is Stephen Lynch speaking  
9 again. In fact, that was what I wanted to address. I'm here  
10 on this telephone call with you alone. I drafted my motion to  
11 you alone. Does Mr. Sandakov assist me legal research  
12 analysis? Yes, he does. Is he licensed to practice in the  
13 United States? No, he's not. Does he practice in the United  
14 States? No, he does not. Does he have an engagement to  
15 represent me in the United States? No, he does not.

16 THE COURT: Now, but let me interrupt you. People  
17 don't have to be licensed here to appear if they get permission  
18 from the Court on a pro hac vice motion. And the reason for  
19 that process is so that the Court can maintain control of the  
20 attorneys that are working on matters in front of them,  
21 including for disciplinary purposes. I'm not suggesting that  
22 Mr. Sandakov has done anything wrong on his underlying advice  
23 to you, but by not following that procedure, I believe he is  
24 doing something wrong and he should be told that.

25 It's not enough just to say that he can provide legal

1 advice with respect to pleadings without doing that because  
2 he's not admitted to the bar of the court here or anywhere  
3 else. In fact, that's a problem. That's not a good thing.  
4 That's a bad thing. It's not an excuse, in other words. So,  
5 it's just a heads up to him.

6 MR. LYNCH: I will relay that. Your Honor, I'm not  
7 sure -- I'll need to think about this situation and do my  
8 research. It seems to me that since I'm doing the drafting --

9 THE COURT: No, it doesn't work that way. If he's  
10 assisting you on it and being the -- doing the legal research,  
11 et cetera, he's practicing law. And that's an issue. Okay.

12 So as far as the motion is concerned, I gather then  
13 you're ready for my ruling, both of you? Okay.

14 MR. LYNCH: Yes, Your Honor.

15 THE COURT: I have a motion before me by Mr. Lynch,  
16 the ex-holder of one Class C share of the debtor in this case,  
17 for an order correcting the record of this case that is -- that  
18 it's on appeal by Mr. Lynch of the Court's order confirming a  
19 Chapter 11 plan. He seeks that relief under Bankruptcy Rule  
20 8009(e)(2)(B). Bankruptcy Rule 8009(e) is headed "Correcting  
21 or Modifying the Record", and the Part 8 rules, the Bankruptcy  
22 Rules, all deal with appeals.

23 It reads as follows, as is relevant:

24 "(1) Submitting to the Bankruptcy Court. If any  
25 difference arises about whether the record accurately discloses

1 what occurred in the bankruptcy court, the difference must be  
2 submitted to and settled by the bankruptcy court and the record  
3 conformed accordingly. If an item has been improperly  
4 designated as part of the record on appeal, a party may move to  
5 strike that item."

6 "(2) Correcting in Other Ways. If anything material to  
7 either party is omitted from or misstated in the record by  
8 error or accident, the omission or misstatement may be  
9 corrected, and a supplemental record may be certified and  
10 transmitted:

11 (A) on stipulation of the parties;

12 (B) by the bankruptcy court before or after the record  
13 has been forwarded; or

14 (C) by the court where the appeal is pending."

15 As a matter of practice generally speaking, the  
16 district courts defer to the bankruptcy court on these  
17 8009(e)(2) issues, but they also have the power to deal with  
18 what is covered by 8009(e)(2).

19 And then (3) states: "Remaining Questions. All other  
20 questions as to the form and content of the record must be  
21 presented to the court where the appeal is pending."

22 Mr. Lynch, in his motion, addresses the record of the  
23 February 27, 2017, hearing held by the Court in this case on a  
24 motion for entry of an order establishing streamlined  
25 procedures with respect to plan confirmation, a motion for

1 entry of an order establishing deadlines for submitting proofs  
2 of claim, approving the form and manner for submitting such  
3 proofs of claim and approving notice thereof, and C) a motion  
4 for entry of an order scheduling an expedited telephonic  
5 hearing and shortening notice for petitioner's bar date and  
6 plan confirmation procedures motion.

7           Clearly the relevant motion with respect -- at that  
8 hearing, with respect to which the present motion is addressed,  
9 is the first one, the motion for entry of an order establishing  
10 streamlined procedures with respect to plan confirmation. The  
11 Court's determination of that motion resulted in an order of  
12 the Court establishing procedures with respect to plan  
13 confirmation dated February 28, 2017.

14           The present motion before the Court states that "the  
15 transcript of that hearing erroneously records the presence of  
16 Lynch" -- I'm quoting from the motion now -- "and erroneously  
17 records Andrei Sandakov of FD Advisory LLP as participating in  
18 the call as attorney for Lynch." I'm continuing on with motion  
19 on page 2. "In addition, the Court by error made the following  
20 misstatements:

21           THE COURT: Okay, and Mr. Lynch is on the phone live  
22 and I assume among other reasons it's because he got notice of  
23 this hearing."

24           The present motion before the Court states that  
25 "neither Mr. Lynch nor Mr. Sandakov participated in the



1 telephonic hearing and that this fact has been confirmed by a  
2 letter from CourtCall, which in realia states, 'Our records  
3 indicate that Mr. Lynch did not dial in to the CourtCall  
4 conference at any time on the date of this hearing. Conference  
5 history report attached and listed in Central Time. I am  
6 submitting this letter at Mr. Lynch's request as evidence that  
7 he was not present telephonically for this hearing.'"

8           The motion then goes to say, "Although the letter  
9 itself does not mention Mr. Sandakov, the attached conference  
10 history report clearly shows that Mr. Sandakov did not dial in  
11 to the CourtCall conference at any time on the date of the  
12 February 27th hearing." A copy of the CourtCall list of those  
13 who CourtCall's record show dialed in to the February 27th  
14 hearing is attached as Exhibit 2 to the motion and shows  
15 neither Mr. Lynch nor Mr. Sandakov as having dialed in to the  
16 hearing.

17           The motion goes on to seek to correct -- or state why  
18 the record should be corrected by referencing an exchange at  
19 the plan confirmation hearing, later in 2017, in which this  
20 exchange took place. Mr. McDermott addressing the February 27,  
21 2017 hearing:

22           "We understand that Mr. Lynch participated in that  
23 telephonic hearing and the dates were obviously set at that  
24 hearing." The dates for -- that is the confirmation hearing  
25 and dates to object or otherwise respond to the request for

1 confirmation.

2 THE COURT: Well, he didn't participate, but he was  
3 present on CourtCall and not --

4 MR. MCDERMOTT: Correct.

5 THE COURT: Not only -- I'm sorry -- not in a listen-  
6 only mode, so he had the right to speak up if he wanted to.

7 MR. MCDERMOTT: Yeah, when I said participate, I  
8 didn't mean to suggest that he spoke, I just knew that the  
9 record had shown that he was on.

10 THE COURT: Right."

11 The record, I believe, does need to be conformed to  
12 what in fact actually occurred in the bankruptcy court on  
13 February 27, 2017. In light of the evidence presented by Mr.  
14 Lynch in the present motion, in particular Exhibit 2, which  
15 I've already referenced, it appears to me, however, that the  
16 proper means to do that would be under Bankruptcy Rule 8009  
17 (e)(1), which as I stated before, provides that "if any  
18 difference arises about whether the record accurately discloses  
19 what occurred in the bankruptcy court, the difference must be  
20 submitted to and settled by the bankruptcy court and the record  
21 conformed accordingly."

22 The difference as to what actually occurred in the  
23 bankruptcy court pertains to whether Mr. Lynch was on the phone  
24 or not at the February 27th hearing. He was listed on the  
25 CourtCall calendar for that hearing. As reflected in Exhibit 3

1 to the present motion, the last page of that exhibit. In  
2 addition, Mr. Sandakov was listed on the CourtCall telephonic  
3 appearance schedule for that hearing. Both listed as  
4 interested party appearing live, but Mr. Sandakov being listed  
5 as appearing for Mr. Lynch.

6 Normally, when this court has a party who is listed on  
7 the confirmed telephonic appearance schedule and the Court  
8 references that party at the hearing as being on the line, the  
9 CourtCall operator will interject or jump in if the party is in  
10 fact not on the line and inform the Court that, notwithstanding  
11 the confirmed telephonic appearance schedule, the party is not  
12 on the line.

13 That did not happen at the February 27th hearing.  
14 Consequently, I assumed that Mr. Lynch and Mr. Sandakov were on  
15 the line. The next day, February 28th, Mr. Lynch sent an email  
16 to me copying counsel for the plan proponents, Mascini and  
17 Lapidem, Mr. McDermott, which read, "I did not participate in  
18 yesterday's hearing in any manner. I was not nor was anyone  
19 representing me, listening to the hearing via an open line."  
20 The email then went on to state that "it is true that I used  
21 this .sg email address for many years; however, the email is  
22 being terminated as a direct result of the denial of dismissal  
23 on bad faith grounds."

24 It goes on to provide further explanation as to why  
25 that is occurring and address service. I responded a few

1 minutes later to Mr. Lynch at the same email address. His  
2 email is timed 1:39 p.m.; my response is 1:52 p.m. My response  
3 was as follows: "Please file your email below on the docket.  
4 Please also note that you were listed on the CourtCall roster  
5 for the 2/27 hearing."

6 I do not believe that Mr. Lynch did in fact file his  
7 email on the docket nor did he respond with any evidence until  
8 he sought to file this motion dated April -- I'm sorry June 23,  
9 2017, with the actual CourtCall records that he didn't  
10 participate and that Mr. Sandakov didn't participate, not only  
11 by not speaking but by literally not being on the line. I did  
12 not believe there was any evidence of that fact as of the  
13 confirmation hearing.

14 So the record should be conformed to reflect that.  
15 Although the Court believed that Mr. Lynch was on the phone and  
16 that Mr. Sandakov was on the phone at the February 27th  
17 hearing, and reasonably believed so both at that hearing and at  
18 the confirmation hearing, they weren't. Having said that, I  
19 believe that the proper way to address conforming the record is  
20 simply to send this transcript to the district court or file it  
21 with the district court as part of the record.

22 I am not making my ruling under Rule 8009(e)(2), which  
23 states that "if anything material to either party is omitted  
24 from or misstated in the record by error or accident, the  
25 omission of the statement may be corrected and a supplemental

1 record may be certified and transmitted", because I don't  
2 believe that my misimpression was in fact material to the  
3 issues before the district court.

4           Given the wording of 8009(e)(2), however, which  
5 includes that the district court itself may address such  
6 issues, it's clear to me that the district court may conclude  
7 differently on that point. But I believe that's really  
8 ultimately an issue for the district court. And as Mr. Lynch  
9 said in his introductory remarks today, I don't believe it's  
10 particularly appropriate for me to say that anything was in  
11 fact material one way or another on this issue, which is  
12 tangential to the issue of notice and service, as opposed to  
13 anything directly relating to it.

14           So I'm going to grant the motion to the extent stated  
15 and direct the appellate to file the transcript of this hearing  
16 as part of the record on the appeal to the district court.

17           So Mr. Lynch, you should do that -- I'm going to give  
18 you a deadline, but before doing that, I want to make sure  
19 there's nothing truly eminent before the district court where  
20 review of the record will matter. I was going to suggest by  
21 the end of next week, next Friday, but I guess if there's a  
22 ruling coming up tomorrow, it should be filed right away. Is  
23 there anything that's likely to be requiring the district  
24 court's review of the record before next Friday?

25           MR. MCDERMOTT: It's Mr. McDermott. Our brief isn't

1 due for another three weeks.

2 THE COURT: Okay. All right.

3 So Mr. Lynch, you should file the transcript of this  
4 hearing at the earlier of Friday, July 28th or the date that  
5 you get the transcript.

6 MR. LYNCH: Your Honor, this is Stephen Lynch speaking  
7 again. I will do that --

8 THE COURT: I'm sorry, I'm sorry, it's the other way  
9 around. The later of Friday the 28th and the date you get the  
10 transcript.

11 MR. LYNCH: Yes. And also in an abundance of caution  
12 Your Honor, may I ask just to clarify, this transcript you mean  
13 today's transcript?

14 THE COURT: Yes, today's transcript. Because that  
15 corrects the record of what happened before me.

16 MR. LYNCH: I understand. I just wanted to be sure of  
17 that on the record.

18 THE COURT: Right. So put in an order for the  
19 transcript. If you want, you could make it expedited, you  
20 don't have to, since that costs a little more money. So that's  
21 why it's really the later of Friday, a week, or the date that  
22 you get the transcript.

23 MR. LYNCH: We have lots of time, so I'm going to save  
24 some money.

25 THE COURT: Okay, very well. Thank you.

KIRWAN OFFICES S.A.R.L.

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MR. LYNCH: Thank you.

(Whereupon these proceedings were concluded at 11:15 AM)

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I N D E X

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C E R T I F I C A T I O N

I, David Rutt, certify that the foregoing transcript is a true  
and accurate record of the proceedings.



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Date: July 29, 2017

July 19, 2017

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